



March 7, 2019

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
455 12th Street SW
Washington, D.C. 20554

**Re: *In the Matter of Partitioning, Disaggregation, and Leasing of Spectrum, NPRM, WT*
Docket No. 19-38, FCC-CIRC1903-06**

Dear Ms. Dortch:

Midcontinent Communications (Midco) appreciates the Commission's consideration of the Notice of Proposed Rulemaking (NPRM) to free up more spectrum for rural America. Midco would like to raise the issue of defining "carrier" with Commission prior to the March 15, 2019, meeting and potential adoption of the NPRM. We are concerned that the definition of "carrier" from Section 616 of the MOBILE NOW Act does not include many rural broadband providers, including Midco, that are not "common carriers."

While we could be interested in purchasing spectrum from a large carrier, we are not an Eligible Telecommunications Carrier (ETC) in our entire footprint, and in many areas we are ETC for Lifeline purposes only. The tan blocks in the figure to the right, for example, show our ETC status for Connect America Fund Phase II census blocks. We do not have ETC status in the surrounding white space. Nor would we be able to receive ETC status in the white space due to the rules for rural local exchange carriers. The result is a patchwork of ETC status, which could enable a small class of "common carriers" to enjoy the benefits of additional spectrum and limit our ability to obtain the same benefits. There is no legitimate policy reason to favor "common carriers" over other rural providers that are not—and cannot be—"common carriers."



Therefore, we urge the Commission to request comment in the upcoming NPRM on whether the proposed rules should be extended to broadband providers that are not "carriers" as defined in the MOBILE NOW Act.

Sincerely,

/s/ Nicole Tupman

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Midcontinent Communications